

Fulford Parish Council

The Cemetery Lodge, Fordlands Road, Fulford, York, YO19 4QG

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**Minutes of the Meeting of Fulford Parish Council held at 19:30 pm on
Tuesday 9th April 2019 in the Old Library, Fulford Social Hall, School Lane, Fulford.**

18297. Chair's welcome

In the absence of the Chair, it was resolved that the Vice-Chair would chair the meeting. Cllr. Aspden welcomed all present to the meeting

18298. To receive apologies and approve reasons for absence

- a. Present: Cllrs. Aspden (Vice-Chair), Clare, Francis, Gardiner, Russell, Urmston, Vevers and G Walker and the Clerk
- b. Apologies were received and approved from Cllrs. de Vries (Chair) and J Walker and from Cllr. Russell for early departure (at 8.30 pm).

18299. To receive any declarations of interest

No declarations of interest were declared.

18300. To receive and approve the Minutes of the Parish Council meeting held on 12th March 2019.

The Minutes of the meeting of 12th March were approved as a true record.

18301. To receive and consider nominations for the position of Chair.

There were no nominations received and the election of Chair was deferred to the Annual Meeting of the Parish Council. The Clerk reminded councillors that a Chair would have to be appointed as the first item of business at the Annual Meeting in May.

18302. The elected Chair to sign the Declaration of Office Form

In the absence of an elected Chair this item was deferred to the Annual Meeting.

18303. To receive and consider Parishioners' Questions and comments and decide on any necessary *[Public Participation – Members of the public who wish to speak regarding an item within the remit of the Parish Council may do so. Each speaker is limited to 3 minutes and the maximum time for this item is 15 minutes]*

No members of the public attended the meeting, however an email had been received and Cllr. G Walker had been requested by the parishioner correspondent to speak in connection with a request for the Parish Council's support in an application to Highways England for a path established by public use between No.3 Public right of way path and No.12 Public right of way path since 1976 to be dedicated as a Public right of way. Following consideration, it was resolved to contact City of York in support of the application and also to follow up the existing query with the Carstairs Trust. The parishioner had also requested that a parish councillor be made responsible for footpaths. However, it was resolved that as the Parish Council will consist of only 7 councillors from May, this was not viable at present.

An email had been received from a parishioner relating to an exposed cable bound with tape protruding the new path at the Germany Beck site. The parishioner queried whether the cable was live and had also raised the issue with CoYC. Following discussion, it was agreed that the Clerk would include this concern in correspondence to be sent to Robin McGinn at Persimmon Homes.

There being no members of the public present, the Vice-Chair closed Parishioners' Questions.

18304. To receive and consider a report from the Ward Councillor and decide on any necessary action

Cllr. Aspden reported on items as they became relevant in the course of the items on the agenda.

18305. To receive and consider a report from the Police and decide on any necessary action

A report had been circulated and was noted. It was noted that the majority of incidents were connected to the Designer Outlet.

18306. To note correspondence received and decide on any necessary action to include:

- a. **Response received to Parish Council response to email from prospective purchaser at Germany Beck development;**
The Clerk had emailed the correspondent offering them the option to speak to the Chair of the Planning working group and/or option to attend the Parish Council meeting to make representations. In the absence of a response to that offer no further response was deemed appropriate.
- b. **Emails received regarding proposed business park on land adjacent to the Designer Outlet;**
Responses had been received to the Parish Council Newsletter's article on new developments. It was resolved that the Clerk would draft a response as agreed to circulate for approval prior to sending.
- c. **Email received regarding the A19 Germany Beck junction;**
A response had been received to the Parish Council Newsletter's article on the Germany Beck development, expressing concerns about the safety of the junction and raising concerns about a campervan/motorhome that parks in the Fordlands Road area for long periods and appears abandoned. It was resolved that the Clerk would draft a response as agreed to circulate for approval prior to sending.
- d. **Email received regarding the integrity of the flood wall at the A19 Germany Beck junction;**
Cllr. Aspden reported that he had referred the concrete steps matter to the appropriate department at CoYC and the red box has now been removed. Following consideration, it was resolved to forward the correspondent's email (once GDPR consent has been approved) to Robin McGinn at Persimmon Homes in the absence of any recent Liaison Advisory Committee or notification of contact details for a site manager/public liaison for the developer following the departure of Lucie Jones at Howard Civil Engineering.
- e. **Email regarding footpath leading from School Lane**
Cllr. Aspden reported that he had raised the issue with the relevant party at CoYC and is waiting to hear if the request can be actioned or if ward funding would be required. As the Parish Council had been copied into the email sent to Cllr. Aspden, it was resolved to thank the correspondent for keeping it informed, noting that the matter was being dealt with by CoYC.
- f. **Letter received from McArthurGlen Group dated 4th April 2019.**
A consultation letter about a proposed extension to the Designer Outlet to include an additional 25 units and additional car parking. Following consideration, it was resolved to respond thanking them for their letter and stating that the Parish Council would be pleased to receive any further information or plans and will engage further when McArthurGlen are ready to enter into consultation with the public.

18307. Financial Matters

a. **To approve the payments at Appendix 1;**

Following consideration, the following payments were approved:

	£
<u>Cemetery</u>	
First Data – Chip & Pin Machine	18.55
Fuel Genie – Cemetery Vehicles Fuel (Dec-Jan)	
BT – Monthly Phone (March)	72.10
CNG – Gas Contract	148.05
Yorkshire Electric Gates – Time Clock Installation	144.00
Grave Refund	374.00
DVLA – Road Vehicle Tax, Cemetery Vehicle	250.00
<u>Parish Council</u>	
GiffGaff – Clerk's Mobile	5.00
HP Instant Ink	12.99
Expend Monthly Subscription	8.39
Briggs Burley – Valuation Fee – York Jubilee Air Rifle Club premises	420.00
Helloprint – Newsletter Printing	105.89
<u>Social Hall</u>	
Plusnet – Broadband & Line Rental	28.20
CNG – Gas Contract	324.42
Kevin Burbidge Electrical – PAT Tests	32.00
<u>Planning</u>	

Shoosmiths – Legal Services	6178.96
<u>Staff Costs</u>	
Wages & Salaries	7822.29
HMRC	2000.14
NYPF	2928.78
Clerk Homeworking Allowance	18.00

b. To note the receipts at Appendix 2;

The following receipts were noted:

Cemetery Income				Parish Council Income			
Burial Rights Purchases	Interments	Memorials	Grave Upkeeps	Allotments	Social Hall Hire	Donations	Other Income
5,162.00	11,587.00	1,645.00	0.00	415.00	1,089.00	0.00	5,108.00

c. To note the end of financial year accounts v budget at Appendix 3;

The following end of financial year accounts were noted:

<u>EXPENDITURE SUMMATION</u>	2018/19 TOTAL	2018/19 Budget	Grants / Earmarked from Reserves	TOTAL Budget + Earmarked
Employees	16055.32	20250.00	0.00	20250.00
Social Hall	9428.29	8905.00	2500.00	11405.00
School Lane Playing Field	5005.95	5210.00	1060.00	6270.00
Fordlands Open Space	1651.36	2250.00	0.00	2250.00
Play equipment	35211.56	4610.00	35000.00	39610.00
Village Green	300.00	925.00	0.00	925.00
Allotments	822.52	1080.00	0.00	1080.00
Street furniture	63.30	1250.00	0.00	1250.00
Open Spaces Equipment	23.95	100.00	0.00	100.00
Open Spaces In-house Labour/Repairs	114.24	500.00	0.00	500.00
Office & general	6409.73	8050.00	0.00	8050.00
Planning	12746.67	10000.00	7431.00	17431.00
Community grants	600.00	500.00	100.00	600.00
Contingency for cemetery deficit/sundries	0.00	1531.00	0.00	1531.00
Totals	88432.89	65211.00	29091.00	94302.00
<u>INCOME</u>				
Social Hall receipts	13461.85	10000.00		
Air rifle club	25.00	25.00		
Playing field rents	226.00	225.00		
Allotment rents	735.00	634.00		
Northern Electric wayleave	10.35	11.00		
Sundry receipts	0.00	0.00		
Other grants (YW)	17500.00	0.00		
Interest on capital & Bank Interest	309.95	150.00		
<u>City of York Council</u>				
Precept	33000.00	33000.00		
Double taxation payments	13504.02	16210.00		
Grant (Set with Precept Notice)	1531.00	1531.00		
Other Grants	0.00	3425.00		
Cemetery agreement	0.00	0.00		

n.b. £3716.02 Received after Year End

Section 106	0.00	0.00
Total income	80303.17	65211.00

d. To note funds earmarked for 2019/2020 projects;

It was noted that the following funds had been earmarked for 2019/20 projects as follows:

Social Hall Heating Renovations & Improvements	£2000.00
Open Spaces – Replacement Bus Shelter for Fordlands Road	£5500.00
Open Spaces – Removal & Replacement of Slide	£4700.00
General Office – Website redevelopment and IT	£1400.00
General Office – Training & Books	£240.00
Planning Advice & Contingency	£7000.00
	<hr/>
	£20840.00

In addition to the earmarked funds a Ward Grant in the sum of £950.00 remains in reserves from 31.03.2018 earmarked to Village Green improvements.

e. To approve the bank reconciliation to 31/03//2019;

The end of financial year bank reconciliation had been circulated and was noted.

f. To consider any additional transfer to the Expend Prepaid card.

No additional transfer was required.

18308. Planning:

a. To receive and consider a report of planning applications and questions considered by the Planning Working Group and decide on any further action:

New applications

19/00441/LHE - Erection of single storey extension extending 4.15 metres beyond the rear wall of the original house with a height to the eaves of 2.9 metres and a total height of 2.9 metres. 83 Fordlands Road York YO19 4QR - It was resolved to comment as follows: On the very limited information available it is difficult to assess the proposal but it is noted that the dwelling may have been extended in the past. It is therefore unclear whether a further extension would be considered to be permitted development.

19/00554/NONMAT - Non-material amendment to permitted application 18/00495/FULM (erection of 64 bedroom care home, car parking and landscaping following the demolition of existing care home) to remove 3no. trees (G21) from the south west corner of the site. Octopus Healthcare Development Ltd Ouse View Care Home 1 Fordlands Road York YO19 4QT - It was resolved to retain a dialogue with the developers rather than submitting comments.

19/00367/CPD - Installation of solar panels. Fishergate County Garage 14 Heslington Lane York YO10 4LR - No objections

19/00383/CLD - Certificate of lawful development for installation of flue. Fishergate County Garage 14 Heslington Lane York YO10 4LR - No objections

19/00360/FUL - Loft conversion with hip to gable, dormer to rear, 2no. rooflights to front and second floor window to side elevation. 18 Fulfordgate York YO10 4LY. It was resolved to object as on the following basis:

- The size of the rear dormer is excessive and fails to comply with the guidance on dormer windows in the council's SPD.
- The view from Tennis Courts will be dominated by the dormer.
- The introduction of a gable will unbalance the pair of semis and cause harm to the streetscape, especially as the dwelling already appears to have been considerably extended.

19/00212/FUL - Removal of existing pitched roof and replace with flat roof and replace with flat roof on existing rear projection. Bloomfields 140 Main Street Fulford York YO10 4PS - No objections.

On-going applications

19/00227/ADV - Display of 2 no. wall mounted banner signs, 1 no. V board, 6 no. double sided post mounted signs, 1 no. post mounted price board, 2 no. fascia and wall mounted signs to sales office and 9 no. flag pole signs (retrospective) Germany Beck Site East of Fordlands Road York - Correspondence and revised plans had been received and were noted and a decision is awaited. It was resolved to forward the case officer's correspondence to enforcement reminding them of urgency of action required.

18/02793/FUL - Erection of replacement single storey industrial unit. 1 Forest Business Park Fulford York YO19 4RH - Revised plans were considered and it was resolved to comment that the reduction in the height of the building is very welcome and there are no objections to the revised scheme.

18/02169/FULM - Change of use of existing care home bungalows (use class C2) to residential dwellings (use class C3) and construction of associated car park and access road from Fulford Park. Royal Masonic Benevolent Institute Connaught Court St Oswalds Road York YO10 4QA - The case officer is awaiting further information from the developer before the application can go to committee.

AOD/15/00053 - Condition 36 - 01/01315/OUT. Germany Beck Site East of Fordlands Road York - A response had been received from the case officer and a draft response to that had been prepared and circulated. It was resolved to amend the draft letter and send it as amended.

b. To note the following decided applications

19/00204/TCA Status: Decided – No Objections

18/02733/FUL Status: Decided – Approved without Conditions

18/02483/FUL Status: Decided – Householder Approval

c. To note the following Appeals

18/01820/FUL Appeal Reference: APP/C2741/W/19/3221614

18/01821/FUL Appeal Reference: APP/C2741/D/19/3221617

d. Enforcement Action

34 Eastward Avenue - The Clerk has followed this up with enforcement and the case officer has been asked to update but the update has not yet been received.

Unauthorised development at the Germany Beck site relating to **01/01315/OUT** and **12/00384/REMM** - Marketing suite, New sign at A19 junction - A letter had been drafted to enforcement requesting urgent action. It was resolved to send the letter as drafted.

18309. To receive and consider an update on matters pertaining to Germany Beck and decide on any necessary action to include:

a. To consider any update on the Liaison Advisory Committee.

Councillors expressed dismay at the lack of action in setting a date for the next meeting of the Liaison Advisory Committee (LAC) despite a number of requests from the Parish Council to Robin McGinn at Persimmon Homes. Following discussion, there being no meeting arranged by Persimmon since July 2018, it was resolved to write to Mike Slater at CoYC to enquire if he could assist in the pursuance of a date for the next meeting and it was agreed to copy Richard Watson (as Chair of the LAC) into the correspondence. It was noted that there are a number of matters that should be discussed as part of the LAC process but with the absence of meetings, the Parish Council has no direct means of requesting information/clarification on behalf of residents. It was further resolved to appoint Cllr. Urmston as second Parish Council representative to the LAC following the departure of Cllr. Vevers and add appointment of the 2 LAC representatives to the agenda for the Annual Meeting of the Parish Council in May.

b. Ongoing development issues

A number of matters were raised as follows:

- New fence adjacent to footpath on slip road - The fence has created quite a large area of totally inaccessible space which could cause problems for ongoing maintenance of the landscaping and the flood relief outfall.
- The landscaping already planted has almost all been trampled or otherwise destroyed and the area is littered with rubble, metal barriers and pieces of herras fencing. Because the area is hidden from view, it could be used for fly tipping in the future.
- The fence is extremely unattractive and harms the visual amenity of the streetscene.
- An area of public open space has been lost.
- Query the need for such an acoustic barrier.

Following discussion, it was resolved to write to the Case Officer (copying in Mike Slater) to suggest a meeting to consider the above matters and request the possibility of quarterly update meetings in the event that the developers continue with their lack of compliance with their s.106 commitments to hold meetings of the LAC (as outlined above).

To consider exclusion of the press and public from the discussion of any aspect of item 18309.c by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960

In the absence of anything to report, the press and public were not excluded.

- c. Any update on 17/02687/NONMAT - Non-material amendment to permitted application 12/00384/REMM to alter approved plans and amend approved bat mitigation strategy. Germany Beck Site East of Fordlands Road York**
Nothing to report

18310. To receive and consider any update on the Local Plan and decide on any necessary action.

No update. CoYC published a topic note and nothing further will happen until after the elections in May.

18311. To receive and consider a report from the Cemetery working group and decide on any necessary action to include:

- a. Consideration of a proposed contract from CWGC;**
It was resolved to obtain advice from YLCA and defer to the next meeting pending the advice.
- b. Consideration of an update on the car park proposal;**
Cllr. Urmston reported that there had been a constructive meeting between members of the Cemetery working group and representatives from McGoff. A plan for a smaller car park (30 spaces) with a cell web structure for the surface will be submitted for temporary planning permission for 2 years. It was agreed that the planning application would be supported.
- c. To note the end of financial year accounts v budget;**
The end of financial year accounts were noted.
- d. To note funds earmarked for 2019/2020 projects.**
The funds earmarked to 2019/20 projects were noted.

18312. To receive and consider a report from the Cemetery Lodge working group and decide upon any necessary action to include:

- a. Consideration for a separate bank account for the renovation project and transfer of earmarked funds to that account;**
It was resolved that the Clerk would arrange a new HSBC account for the renovation project on the same basis as the existing accounts to require two signatures from the signatories on the mandate for any transaction.
- b. Consider delegation of liaison with the Project Manager for day to day project matters subject to agreed policy.**

In principle, it was agreed that liaison would be delegated but to defer appointment of the delegated person to the Annual Meeting of the Parish Council and arrange a meeting between Cllrs. Urmston, de Vries, the Clerk, the Cemetery Superintendent and David Horsley in the meantime to discuss how best to deal with day to day matters. It was resolved that the Clerk would draft a tender acceptance letter in readiness for signature at that meeting.

18313. To receive and consider a report from the Open Spaces working group and decide on any necessary action to include:

a. Consideration of the first playground inspection reports from the new provider;

A few maintenance tasks had been reported on some of the equipment at Fordlands Road playground and it was resolved the at the Clerk would obtain a quote for these from the inspection company under the maintenance and inspection programme. At School Lane playground the report made comment in respect of the flagpole and it was agreed that this could be moved further from the swings if this became necessary.

The inspection highlighted the slide as a risk and stated that it should be removed. Following discussion, it was resolved to remove the slide and seek quotes up to a maximum budget of £5000 for a comparable replacement. It was further resolved to fence off the slide at the earliest opportunity and attach notices explaining what was happening. It was also agreed that the Clerk would write to The Scouts to inform them of the decision (as they had recently painted the slide) and to a resident who had previously expressed concerns about its proposed removal as part of the recent renovation programme.

b. Consideration of the recommendations and quotations resulting from the inspection;

A quote for the removal and replacement of the slide had been provided by the inspection company but it was resolved to seek additional quotes and, due to the need for early removal and replacement, the decision on which quote to accept for the replacement within the agreed budget and specification was delegated to the Clerk in consultation with the Chair of the Open Spaces working group.

c. Consideration of dog walking through Fordlands Road open space;

Following consideration, it was resolved that no change would be made to the signs at the Fordlands Road open space. The Parish Council expressed thanks to those responsible dog walkers for following the rules.

d. Consideration of costings for replacement of the Fordlands Road bus shelter;

Cllr. Russell had made enquiries since those reported by the Clerk to the previous meeting and it was resolved that the Clerk would order a Kent Anti-Vandal Bus Shelter in Conservation Green with one seat.

e. Consideration of report on drugs and needles adjacent to Village Green.

Cllr. Aspden reported he had chased up the reports of the items with CoYC and despite them being on private land, CoYC had agreed to deal with their removal. Cllr. Russell reported that the sofa had been removed but that the needles and other drug paraphernalia remained. Cllr. G Walker agreed to attend the site and take photographs with a note as to the precise location to enable to Cllr. Aspden to follow it up further with CoYC. The Clerk is to update the landowner and the resident who had reported the problem.

Cllr. Urmston thanked Cllr. Vevers for the fantastic work he has done on Open Spaces as Chair of the Open Spaces working group and it was agreed that if Cllr. Vevers would like to assist the Open Spaces working group following his departure from the Parish Council, his assistance as a consultant member of the working group would be very much welcomed.

18314. To receive and consider a report from the Social Hall working group and decide on any necessary action to include:

a. Consideration of review of the long-term hiring agreements and dates for renewal;

The Internal Auditor had queried if the long-term hiring agreements should be renewed annually. Following discussion, it was resolved that the long-term hire agreements in existence did not require renewal at present but would be renewed at such time as any price increase was made.

b. Consideration of formalising pricing policy

The current rates for the Social Hall are:

Main Hall £13.50 per hour (£11.00 per hour for Fulford Residents);

Library Room £12.00 per hour (£10.00 per hour for Fulford Residents).

Cllr. Clare provided information on other comparable facilities and it was agreed that the rates remain unchanged. Councillors confirmed that the only discounts currently available for the Social Hall were for Fulford residents (as above) and that Fulford Show were permitted use of the Social Hall for the Show itself free of charge. No new discount rates were authorised and the policy remained unchanged in that any new requests for other discounts should be brought to the Parish Council for decision.

c. Consideration of quote received for external lighting

A quote had been received and was approved on the basis that ward funding was available. The Clerk is to instruct Kevin Burbidge to proceed with the works.

d. To note the heating renovations start date of 16th April 2019.

It was noted that the works would start on the 16th April and take approximately 3 days. It was further noted that regular users of the Social Hall have been informed and requested to make alternative arrangements during this period where necessary.

Cllr. Clare reported that the planters outside the Social Hall required some additional topsoil. It was resolved to purchase the topsoil within a budget of £100.

The next item was deferred to the end of the meeting but will be reported in number order.

To consider exclusion of the press and public from the discussion of any aspect of item 18315 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.

The press and public were excluded from the discussion of any aspect of item 18315 by virtue of s.1(2) of the Public Bodies (Admission to Meetings) Act 1960.

18315. To receive and consider reports from the HR panel and Clerk and decide on any necessary action to include:

a. Annual review of Clerk's salary point;

The Clerk left the meeting during the discussion of this item. The salary point was reviewed on the basis of additional responsibilities and additional projects undertaken. It was agreed that the new HR Panel would carry out further review.

The Clerk returned to the meeting.

b. Setting a date for staff reviews.

This item was deferred to the Annual Meeting pending appointment of a Chair and an HR Panel.

18316. To consider review of rents for 2019/2020

Following discussion, it was resolved to write to all current rent payers with proposals for rent reviews as follows:

- Football Clubs' rents to remain at current levels during 2019/2020;
- Tennis Club's rent to raise to £25 per annum from September 2019;
- York Jubilee Air Rifle Club's rent to raise to £50 per annum from September 2019.

18317. To consider information and quotations received from website providers and decide on any necessary action.

Following discussion, on the basis that the council membership is to be reduced in number from May, any proposed changes to the website provision would be deferred to a later date and only be reconsidered alongside future budget setting

18318. To consider alternative methods of communication and decide on any necessary action.

Following discussion, it was agreed that email was the best method of communication and councillors noted the Clerk's request for timely responses. It was agreed that further newsletters should be issued and councillors were encouraged to join the community Facebook pages already in existence to keep up to date on current issues within the community.

18319. Confirm date and time of next meeting.

The dates of the next meetings are:

Annual Parish Meeting – Tuesday 14th May 2019 at 7pm;

Annual Meeting of the Parish Council - Tuesday 14th May 2019 at 7.30pm

Ordinary Meeting of the Parish Council - Tuesday 14th May 2019 immediately after Annual Meeting

The Vice-Chair thanked all departing councillors for their hard work and dedication during their time with the Parish Council and remaining councillors echoed these thanks wishing the departing councillors well in their future endeavours.

Meeting Closed at 10.05pm

Chair